

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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RANDY SCOTT LEVY,

Plaintiff,

v.

MICHAEL J. ASTRUE,

Defendant.

2:10-cv-01921-KJD-LRL

**O R D E R**

The plaintiff has submitted an Application to Proceed *In Forma Pauperis* (#1) and a Complaint for Review of Final Decision of the Commissioner of Social Security (#1-1). The court finds that the plaintiff is unable to prepay the filing fee. Additionally, the Complaint shall be served upon defendant.

Accordingly, and for good cause shown,

IT IS ORDERED that plaintiff's Application to Proceed *In Forma Pauperis* (#1) is GRANTED. Plaintiff shall not be required to prepay the full filing fee of \$350.00.

IT IS FURTHER ORDERED that the plaintiff is permitted to maintain the action to conclusion without the necessity of prepayment of any additional fees, costs, or security. This Order granting *in forma pauperis* status shall not extend to the issuance of subpoenas at government expense.

IT IS FURTHER ORDERED that the Clerk of the Court shall file the Complaint, issue summons to the defendant(s) named in the complaint, and deliver the same to the U.S. Marshal for service. Plaintiff shall have twenty (20) days in which to furnish to the U.S. Marshal the required Forms USM-285. Within twenty (20) days after plaintiff receives copies of the completed Form USM-285 from the U.S. Marshal, plaintiff must file a notice with the court identifying which defendant(s) were served and which were not served, if any. If plaintiff wishes to have the U.S. Marshal attempt service

1 again on any unserved defendant(s), then a motion must be filed with the court identifying the unserved  
2 defendant(s), specifying a more detailed name and/or address for said defendant(s), or indicating  
3 whether some other manner of service should be used. Pursuant to the Federal Rules of Civil Procedure  
4 Rule 4(m), service must be accomplished within one hundred twenty (120) days from the date that the  
5 complaint was filed.

6 IT IS FURTHER ORDERED that from this point forward, plaintiff shall serve upon  
7 defendant(s), or their attorney if they have retained one, a copy of every pleading, motion, or other  
8 document submitted for consideration by the court. Plaintiff shall include with the original paper  
9 submitted for filing a certificate stating the date that a true and correct copy of the document was mailed  
10 to the defendants or their counsel. The court may disregard any paper received by a district judge,  
11 magistrate judge, or the Clerk which fails to include a certificate of service.

12 DATED this 13th day of January, 2011.

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15 **LAWRENCE R. LEAVITT**  
16 **UNITED STATES MAGISTRATE JUDGE**  
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